Secst. II-27—50,006—23-11-42

Education and Public Health (194 4) Department

Miscellaneous SERIES.

G.O. No. 3141-P.H.,

36

Dated the 11th November 1944.

[Despatch Abstract.]

Town Planning - Mangalore Municipality - Fainir Town - Planning Schem
Variations - Draft notification - Published.

R.O.C.No.C4/8434/43.

Municipal Office, Mangalore,
Dated the 27th January 1944.

From

Sri K.Ramaswami Mudaliyar,
Commissioner, Mangalore Municipality.

To

The Secretary to the Government of Madras,
Education & Public Health Department, Madras,

Through

The Chairman, Municipal Council, Mangalore,
&
The Director of Town Planning, M a d r a s.

Sir,

Subject: Licence - Layout - Opening of road -- T.S.No. 729/1A of 18th ward - Mangalore Municipality -- Exemption - Requested.

Mrs Ignatious Britto and Mr. Arthor Britto disposed of land in T.S.No. 729/A of 18th ward of the Mangalore Municipality for the construction of buildings without a proper layout and without providing a street giving access to the sites connecting with the existing public street incompliance with the provisions of Section 175 of the Madras District Municipalities Act of 1920 and clause 10 of the Falnir Town Planning Scheme issued in G.O. No. 1631 Local Self Government Dept., dated the 3rd May 1937. The site is inside the Falnir Town Planning area The above leases are of 1939 and subsequent years. This fact was brought to the notice of the council only after the receipt of the applications for licence for the construction of buildings by the Mulgeni tenants. Then the council in its resolution No.39, dated the 2nd March 1942 resolved to take action against Mrs Ignatious Britto and Mr. Arthur Britto as they disposed of land without a proper layout and for the non compliance of the provisions of the Madras District Municipalities Act and the Falnir Town Planning scheme. Under clause 10 (a) of the scheme any private street to be constructed in the area should be atleast 30 feet wide. As some of the roads contemplated in the scheme and opened by the council are only 20 feet wide, the same width was suggested to the above parties. In addition to this, this area was considered as a hutting area and under rule 1 of the street by-laws framed by the council the widt of the private streets in such area is only 20 feet. In reply to this office notices issued to the above parties as directed by the council, they sent a letter through a Vakil, stating that they had completely stopped leasing out plots and that they would apply to the council for necessary permission before leasing out the remaining portion of the land. The owners and the mulgeni tenants were again directed under sub section 1 (a) to section 177 of the Act to show cause as to why the existing pathway which is not in accordance with the rules should not be altered so as to form it into a pucca road of 20 feet as required under rule (1) of the street By-laws framed by the council. All the tenants have agreed to leave 10 feet space from their own plots as to form a pucca road of 20 feet, but only the owners did not give a definite reply to the above notice. So the matter was again placed before the council. The council in its resolution No.2, dated the 17th December 1943 resolved to address Government requesting that exemption may be granted in view of the local conditions.

The statement of the owners that they have discontinued the disposal of the remaining portion of the land is correct. The plots leased out are far away from the public street and the width of the road provided by the owner is 10 feet and at some places it is only 4 to 6 feet wide. This road is not contemplated in the scheme and it is only a path way left by the original owner at the time of leasing out sites. It is a hilly place and it is not possible to insist upon the owner and the mulgeni tenants to open a private street of uniform width throughout the length. Over and above this, some of the roads contemplated in the scheme and opened by the council are only 20 feet wide.

TPS 9

Under the circumstances stated above, I request that the exemption requested by the council in its resolution No. 2 dated the 17th December 1943 may be sanctioned as a special case.

and a complete sketch showing the adjacent street & plots

The files of connected papers are enclosed.

DEPUTY SECRETARY TO GOVERNMENT EDUCATION AND PUBLIC HEALTH DEPARTMENT
16 MAR 1944.

3/2/44
COMMISSIONER Delegate

FORWARDED:

12177

3-2-44.
CHAIRMAN. M.C.

Town Planning Department,
Madras, dated 11-3-1944.

Forwarded.
The Government may approve the proposal of the Commis-

Encl:
Two files.

N. Dis No. 221/44.

Town Planning Department,
Madras, dated 11-3-1944.

Forwarded.

The Government may approve the proposal of the Commissioner to permit the street to be formed to a width of 20 feet in the special circumstances stated in his letter. If the street is not made by the concerned parties to the said width, the Commissioner may take suitable steps under section 178 of the District Municipalities Act.

15-3-44.
for Ex-Officio Director of
Town Planning, Madras.

The Secretary to Government, Education and Public Health Department, Madras.

29 4/44 4/4

3/8

EdP.W. (H)

Town-Planning - Mangalore Municipality - Talaeer Town-Planning Scheme - T.S No 729/1A - Layout

3/4

From the Comm:r Mangalore Mty
No ROC. C4-8434-43
dy 27.1.44.
From the D.T.P. N. Dis-No. 221-44
dy 11.3.44.
Memo. 12177-2-H.P.H dy 3.4.44

The Municipal Comm:r Mangalore has brought to the notice of Govt that the land covered by T.S No. 729/A of the 18th Ward falling within the Talaeer Town Planning Scheme has been ~~used~~ considered as a Lanthing area ~~without a proper layout~~, and that it is not possible to have roads of the width of 30 ft as required by Clause 10 (a) of the town-planning Scheme in question.

The Govt Consider that in the circumstances the area should be declared as Lanthing or Poor class housing area (under Cl. 14(b) of the Scheme) ~~subject to the following conditions and regulations~~

12-17
12/5

Memo - 12177 H744—3
11.5.44.

Govt P.H. Dept
Section

Town-Planning - Mangalore Municipality.
Falneer Town-Planning Scheme -
T.S. No. 729/1A - Layout

SR mins
2/4/44

Ref Govt Memo No. 12177-2 H P.H dt 3.4.44.

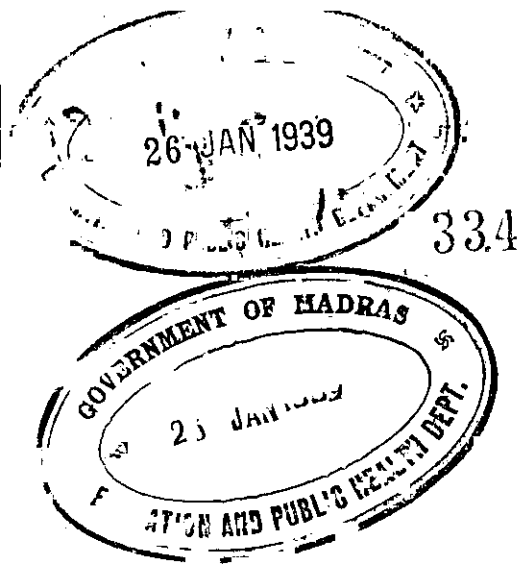
The Commissioner, Mangalore Mpty is requested to state when his reply to the reference cited above may be expected

To The Commissioner,
Mangalore Mpty
Through the Chairman

11/5/44

11.5.44

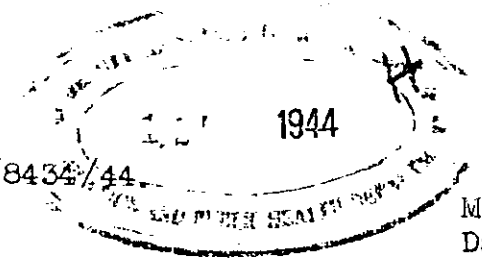
11/5/44



Secretary, P.H.

Forwarded for disposal.

H.M. (P.H.)



R.O.C.No.C4/8434/44. Municipal Office, Mangalore,
Dated the 5th May 1944.

From

Sri K.Ramaswami Mudaliyar,
Commissioner, Mangalore Municipality, Mangalore.

To

The Secretary to the Government of Madras,
Education & Public Health Department, Madras,

Through

The Chairman, Municipal Council, Mangalore.

Sir,

Subject: Town Planning -- Mangalore Municipality -- Kalnir Town Planning scheme -- T.S.No. 729/1A - Layout.

Reference: Your Memo No. 12177-2 H dated the 3rd April 1944.

======

The matter is pending with the Municipal Engineer. It will be placed before the Municipal Council at its next meeting and the particulars called for with the Council's resolution will be submitted immediately after it meets. As the Town Planning Overseer is on leave for the last nearly 11 months the town planning work is inevitably hampered.

6544

COMMISSIONER.

Forwarded:

8.5.44

CHAIRMAN, M.C.

The Commissioner may be reminded again if necessary
30.5.44

h/5.5.44.compd; 6/5 12/5 13.5.44

21433

R.O.C.C4/8434/43.

Municipal Office, Mangalore
Dated the 12th May 1 9 4 4

From

Sri K.Ramaswami Mudaliyar,
Commissioner, Mangalore Municipality,
Mangalore.

To

The Secretary to the Government of Madras,
Education & Public Health Department, Madras.

Through

The Chairman, Municipal Council, Mangalore.

19 MAY 1944

Sir,

Subject:- Town Planning -- Mangalore Municipality - Kalnir Town Planning scheme -- T. S. No. 729/1A - Layout.

Ref:- Your Memo No. T2177-2H dated the 3rd April 1944.

There is neither Town Planning Overseer nor P.W.Supervisor in this Municipality. The Municipal Engineer himself has to attend to all the work now in progress, preparation of plans and estimates in connexion with works to be taken in hand. The Municipal Engineer reports that the work of noting down the survey numbers can neither be entrusted to anybody else nor could be attended by him for the reasons stated above. I request therefore an extension of time for three months may kindly be granted for the submission of the particulars called for in the above reference.

Commissioner. 15544

Forwarded:

16.5.44
CHAIRMAN, M.C.

H/13.5.44.

Compd:-

Memo 12177 H744-4. 22-5-44.

Town Planning. Mangalore Mfs—
Taluk Town-Planning Scheme — T.S.
No. 729/1A — Layout

From the Commissioner, Mangalore Mfs., Roc. c.4
page 8434/43 Dated 12.5.44

An extension of time is granted till
30.6.44 for the submission of the particulars
called for in Govt. Memo No. 12177-2H dated
3.4.44.

Jr Asst
Commissioner,
Mangalore Mfs.

Rq
20/5/44

Thro' The Chairman
20.5.44

(Recd 3.7.44)

22/5/44

He should be asked to send another written a month.

22/5/44

R.O.C.No.C4/8434/44.

Municipal Office, Mangalore,
Dated: 7th July 1944. 3671C

From

Sri K.Ramaswami Mudaliyar,
Commissioner, Mangalore Municipality,
Mangalore

To

The Secretary to Government,
Education & Public Health Department,
Public Health Branch, Madras,

Through

The Chairman, Municipal Council Mangalore.

Sir,

Subject: Town Planning -- Mangalore Municipality - Falnir Town Planning scheme - T.S.No. 729/1-A - Layout - submission of particulars -- Further extension of time requested.

Reference: Government Memorandum No. 12177-H/44-4, dated the 22nd May 1944.

In my letter No. R. O. C. C4-No. 8434/44 dated the 12th May 1944 I had requested that time for three months might be granted for the submission of particulars called for by Government in their Memorandum No. 12177-2-H. P.H., dated the 3rd April 1944.

I had in my letter cited above submitted to Government the reasons for the delay. The Town Planning Overseer who was in charge of this work for the past 13 years is still on leave. The Public Works Supervisor who has been posted to this place to assist the Municipal Engineer has not joined as yet. The time of the Municipal Engineer is fully taken up with the renovation of the Webster Market which was closed from the 25th of March 1944 on account of rat falls in the building. The work which is being done departmentally is nearing completion. He has also to attend to all other public works of the municipality without any assistant.

I therefore request that the time requested for by me originally may kindly be granted.

Commissioner delegate. 8/7/44

Forwarded:

10.7.44
Chairman, M.C.

Municipal Office,
Mangalore, D/7.7.'44

compd:

H/8.7.44.

Edn & Lit Dept

H. Section

Memo 12177 H/44-5 dated 15.7.44.

Town Planning. Mangalore Municipality -

Fabric - Town Planning Scheme - T.S. No 5

729/1A — Layout.

Ref:- From the Commissioner, Mangalore Mfs; Roc. No. 8434/44 dated 7.7.44.

A further extension of time to grant

upto the 15th August 1944 for the submission

of the particulars called for in Govt. Memo No.

Ref:- 12177 - 2 H dated 3.4.44.

To The Commissioner, Mangalore Mfs through the Chairman

Rs 14.7.44.

14.7.44

15/7/44

Rs 14.7.44.

14.7.44

15/7/44

Note:- Please see note on page 11 ante. The Commissioner has now asked for a further extension of time for the submission of the reply to the memo on pages 3-4 ante. In the circumstances the draft memo is for consideration

14.7.44

Memo 12177 H44-6 dated 16.8.44.

Edn. & Lab. Dept
H Section.

Town Planning – Mangalore Municipality

Taluk Town Planning Scheme – T.S.No. 729/1A
Layout

Ref. Govt. Memo No. 12177 H44-5 dated 15.7.44.

The Commissioner, Mangalore Mfs. is requested to send his reply to the Govt. Memo. ref. No. 12177-2H dated 3.4.44.

The matter has now been pending with him for over four months.

To
The Commissioner
Mangalore Mfs.
(Through the Chairman)

15.8.44

VERY URGENT.

R.O.C.No. C4/8434/43.

Municipal Office, Mangalore
Dated the 21st August 1944.

From

42711

Sri K. Ramaswami Mudaliar,
Commissioner, Mangalore Municipality.

ASST. SECRETARY TO THE GOVERNMENT
26 AUG 1944
EDUCATION AND PUBLIC HEALTH DEPT.

The Secretary to the Government of Madras,
Education & Public Health Department,

Through

The Chairman, Municipal council,
Mangalore.

Sir,

Subject: Town Planning - Mangalore Municipality - Bolnir Town Planning scheme - T.S.No. 729/1A - Layout.

Reference: Government Memorandum No. 12177 H/44-6 dated the 16th August 1944.

Government Memorandum No. 12177-2 H / 44 Education and Public Health Department, dated the 3rd April 1944 was referred to the Municipal Engineer for furnishing survey numbers of lands which should be declared as hutting or poor class housing area. There is neither Town Planning Overseer nor P.W.D. Supervisor in this Municipality. The Municipal Engineer himself has to attend to all the works now in progress, preparation of plans and estimates etc. So the Government were requested, in this office R.O.C.No. C4/8434/43, dated the 12th May 1944, to grant 3 months time for the submission of the particulars called for by them. The Government were pleased to grant time till 30th June 1944 in their Memorandum No. 12177-H / 44- 4 dated the 22nd May 1944 and up to 15th August in their Memo 12177-H/44, dated the 15th July 1944. The matter has now been placed before the council, to obtain its resolution agreeing to this proposal as Responsible Authority for the scheme A reply with the resolution of the council will be submitted immediately after a decision is arrived at.

COMMISSIONER.
23/8/1944

Forwarded:

CHAIRMAN, M.C.
24.8.44

H/21.8.44.

For orders whether Commissioner may be requested again if necessary on 15

24.8.44

VERY URGENT.
R.O.C.No.C4/8434/43.

Municipal Office, Mangalore,
Dated the 6th September 1944.

From

Rama Swami Mudaliar,
Commissioner, Mangalore Municipality, Mangalore.

To

The Secretary to the Government of Madras,
Education & Public Health Department, M a d r a s,

Through

The Chairman, Municipal Council, Mangalore.

S i r,

Subject: Town Planning -- Mangalore Municipality - Falnir Town Planning Scheme - T.S.No. 729/1-A - Layout - Particulars -- Submitted.

Ref: Government Memorandum No. 12177-2-H. P.H., Education and P.H. dated the 3rd April and 16th August 1944.

A copy of the Council's resolution No.1 (3) dated the 4th September 1944 together with the plan of the site in duplicate is submitted.

COMMISSIONER.

FORWARDED:

CHAIRMAN, M.C.

Copy to - The Director of Town Planning, M a d r a s.

H/6.9.44.

Extract from the Proceedings of the Mangalore Municipal Council, dated the 4th September 1944.

---

x x x

1 (3). Read Government Memorandum No. 12177-2-H P.H., dated the 3rd April 1944 directing the Commissioner to obtain and forward to Government a resolution of the council as Responsible authority for the scheme, agreeing to the proposal of declaring the T.S.No. 729/1A of 18th ward and S.No. 3C of Jeppinamogar village as hutting or poor class housing area under clause 14(b) of the scheme.

The Council resolves to class T.S. Nos 729-1A and 729-1B of the 18th ward and 3 - C of Jeppinamogar village as hutting or poor class area.

x x x

(sd) H.Hoosien Saheb
CHAIRMAN, M.C.

/True Extract/

Municipal Office, Mangalore, (
Dated the 6th September 1944.)

COMMISSIONER.

compd:

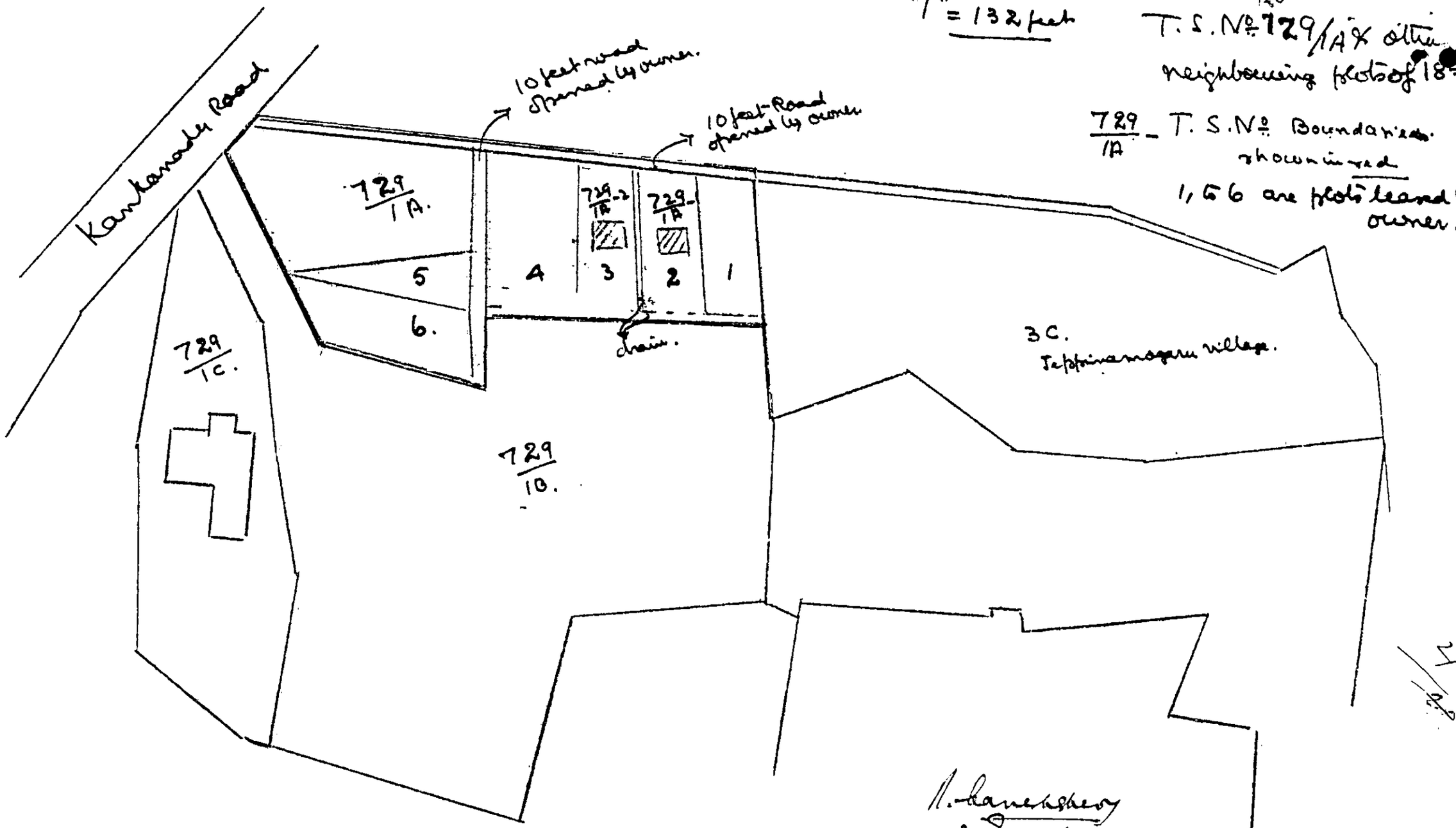
H/6.9.'44

****

Scale:
1" = 132 feet

Site Plan of
T. S. No. 729/1A & other
neighbouring plots of 18.00 acres

729/1A - T. S. No. Boundaries shown in red
1, 5 6 are plots leased by owner.



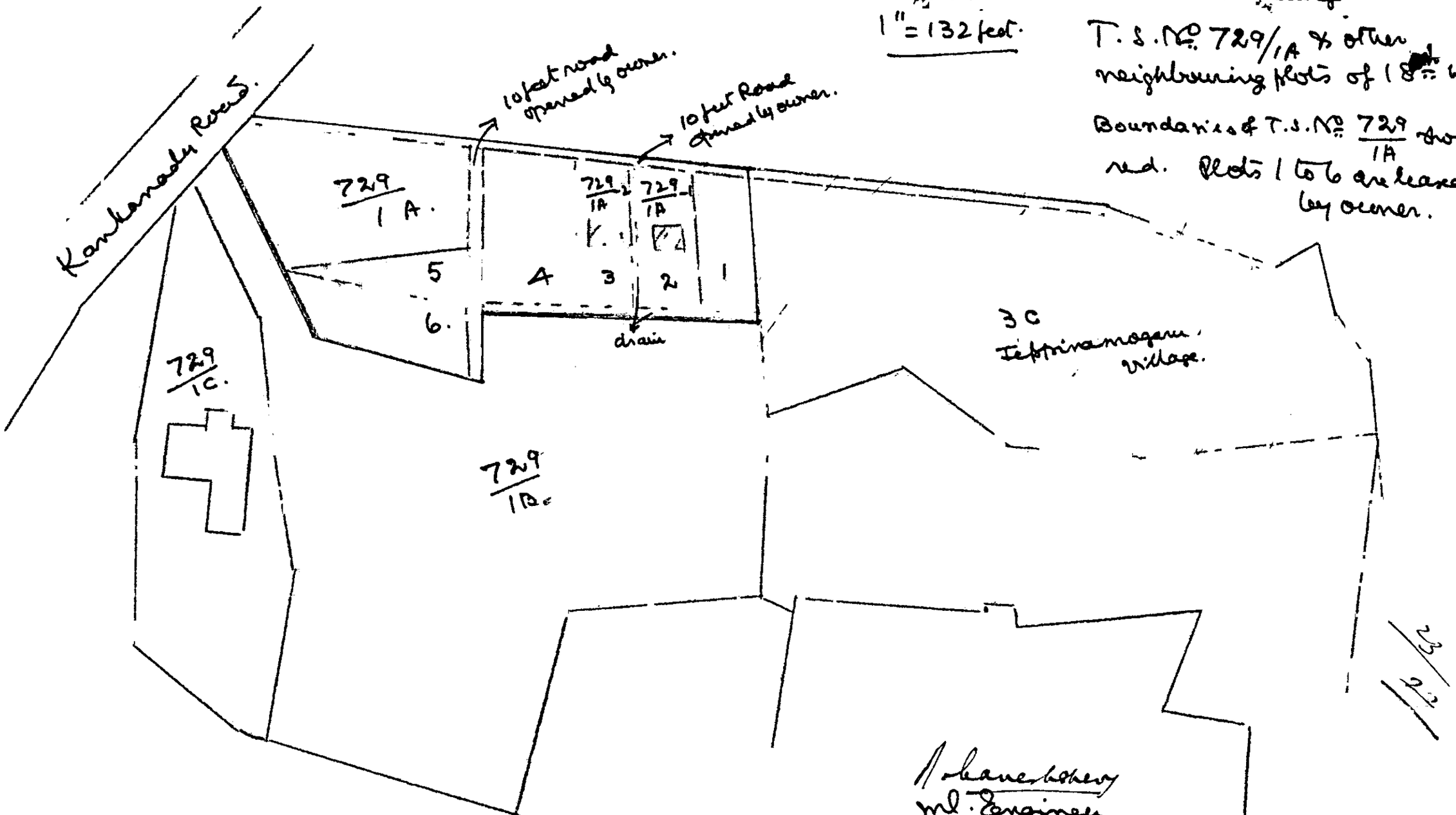
H. Lamershetty
Civil Engineer
16.8.44.

4/4

Scale:
1" = 132 feet.

Site Plan of
T.S.No. 729/1A & other neighbouring Plots of 18th Ward.

Boundaries of T.S.No. 729/1A shown in red. Plots 1 to 6 are leased by owner.



Mahaneshwara
Mcl. Engineer
17.8.44

DLR
16/8

(a) 12/25/44

25 B/ Edwd. H. Dyer
H. Electn.

Memo 12177 H/44 dated 23.9.44

Town Planning - Mangalore Mfg - Jeppu Town Planning Scheme - T.S. No. 729/1A - Layout.

(J) Read again Govt. 631 L.Sg dated 3.5.37.

1944 From The Commissioner, Mangalore Mfg, Roc. no. C4/8434/43 dated 6.9.44.

1/3-4 CF In Memo no. 12177-2 H dated 3.4.44 The Commissioner, Mangalore Mfg was informed That the correct number or numbers of the lands which should be declared as hutting or poor class housing area under clause 14(b) of the

2 (J) Jeppu Town-Planning Scheme should be clearly specified in the Council's

26

resolution It is observed from the plan T. P. no. 136/28 referred to in clause 4 of the Scheme that 3c Jeppinamogaru does not lie within the scheme area. The Commissioner is requested to report at an early date why 3c Jeppinamogaru village has been included in the Council's resolution no. 1 (3) dated 4.9.44.

To The Commissioner, Mangalore

This The Chairman

(illegible)

Very Urgent.

Ref:C4/8434/43.

Municipal Office, Mangalore,
Dated the 14th October 1944.

From

Sri K. Rāmaswami Mudaliar,
Commissioner, Mangalore Municipality,
Mangalore.

50290

To

The Deputy Secretary to the Government of Madras,
Education and Public Health Department,
Madras.

Through

The Chairman, Municipal Council, Mangalore.

Sir,

Subject: Town Planning - Mangalore Municipality - Falnir Road -- T.S.No. 729/1A -- Lay-out.

Ref: Your reminder dated the 11th October 1944.

The matter regarding lay out in T.S.No. 729/1A ~~dated~~ of Falnir road town planning scheme has been placed before the council which will hold its sitting on 23rd October 1944. The resolution recorded will be communicated to Government immediately after.

14.10.44

COMMISSIONER.

FORWARDED:

17-10-44

CHAIRMAN, M.C.

compd:-

14.10.

Exd dept
Hlestm

The Commissioner may be reminded again if necessary on 5-11-44

20/10/44

21/10/44

R.O.C. No.C4/8434/44.

Municipal Office, Mangalore,
Dated the 25th October 1944.

From

Sri K.Ramaswami Mudaliar,
Commissioner, Mangalore Municipality, Mangalore.

To

The Secretary to the Government of Madras,
Education and Public Health Department,
M a d r a s,

Through

31. 1944

The Chairman, Municipal Council, Mangalore.

Sir,

Town Planning - Mangalore Municipality - Falnir Town Planning scheme - T.S.No. 729/1A - Layout - Government Memorandum No. 12177-H/44, 7 dated the 23rd September 1944.

51882

I submit a copy of the amended resolution of the council on the subject.

26-10-44
Commissioner.

F o r w a r d e d:

17.10.44
Chairman, M.C.

Municipal Office,
Mangalore, D/25.10.'44
compd:-
Encl:One
H/26.10.44.

Extract from the proceedings of the Mangalore Municipal council, dated the 23rd October 1944.

x x x

Resolution No.4.

Government Memorandum No. 12177-H/44-7, dated the 23rd September 1944 asking the Commissioner to report as to why S.No. 3-C of Jeppinamogar village has been included in Council Resolution No.1 (3) dated the 4th Septr.1944 to be declared as hutting area and the Commissioner's note dated the 30th Septr.1944 requesting to amend the resolution deleting this survey No as the road beyond the scheme limit cannot be dealt with under the scheme.

The Council resolves to class T.S.No. 729-1A and 729-1B of 18th ward as hutting or poor class area.

x x x

(sd) H.Hoosien Saheb
Chairman, M.C.

/True Extract/

Municipal Office,
Mangalore, 25th Octr.1944.

27.10.44
COMMISSIONER.

Compd:-

H/26.10.44.

27/10

S.C.A.-2.—17,931—7-7-39.

FORM B.

[*See* rule 6 (i).]

Licence to carry on the business of a dealer in cloth exclusively woven on handlooms or articles of wearing apparel made therefrom.

I in view of the declaration made by (name and description) that $\frac{\text{his}}{\text{her}}$ business relates exclusively to cloth woven on handlooms or articles of wearing apparel made therefrom and that $\frac{\text{he}}{\text{she}}$ will not sell any other cloth or articles of wearing apparel made of cloth, do hereby license the said (name) to carry on the business of a $\frac{\text{dealer}}{\text{hawker}}$ of cloth exclusively woven on handlooms or articles of wearing apparel made therefrom (at the premises described in the schedule attached hereto)* during the year 19 This licence shall cease to have effect after 31st March 19

It is required of the holder of this licence as a condition of its remaining in force, that $\frac{\text{he}}{\text{she}}$ duly and faithfully perform and abide by the following conditions :—

(1) That $\frac{\text{he}}{\text{she}}$ observe all the provisions of the Madras Regulation of the Sale of Cloth Act, 1937, and the rules made thereunder ;

(2) that $\frac{\text{he}}{\text{she}}$ produce this licence for inspection on demand by any inspecting officer appointed by the Government of Madras ;

(3) that $\frac{\text{he}}{\text{she}}$ do not transfer or purport to transfer this licence (or sub-let the licensed premises)* to any other person without the permission in writing of the licensing authority ;

(4) that $\frac{\text{he}}{\text{she}}$ permit the inspecting officer to examine the cloth or articles of wearing apparel made of cloth kept or offered by $\frac{\text{him}}{\text{her}}$ for sale.

This licence may be cancelled by the licensing authority if any breach of the Madras Regulation of the Sale of Cloth Act, 1937, or of the rules made thereunder or of any of the abovementioned conditions is committed by the holder of the licence or $\frac{\text{his}}{\text{her}}$ partner or agent or any other person in $\frac{\text{his}}{\text{her}}$ employ.

SCHEDULE.

Licensing authority.

Dated the

* Need not be filled up in the case of a hawker.

Edu & H Dept
H Section

Town Planning. Mangalore Mfg - Falmeer Town Planning Scheme. Variations. draft notification - Published.

(J) Read again: Govt. No. 1631 L.Sg. dated 3.5.37,
From the Commissioner, Mangalore Mfg, Roc. no. C4/8434/43 dated 27.1.44.
From the D.T.P. N. Dis'no. 221/44 d 11.3.44.
From the Commissioner, Mangalore Mfg, Roc. C4. 8434/43 d 6.9.44.
Eg No. 31 dt. P.H dated 11.11.44.
Mfg

The Commissioner, Mangalore Mfg,

reports That the area T.S. No. 729/1A of 18th Ward, Mangalore Mfg, included in the Falmeer T.P. Scheme, has been located as a hutting area and that some of the roads contemplated in the Falmeer Town Planning Scheme and opened by the Municipal Council are only 20 feet wide.

Under sub-clause (b) of Clause 14, Clause 14(b) of the Scheme (Sanction the declaration of the area in the Mangalore Municipality) the Govt. hereby declare that area covered by T.S. No. 729/1A and 729/1B of the 18th Ward in the Mangalore Municipality as a hutting or poor-class housing area, subject to the following regulations and restrictions prescribed by the Director of Town Planning:—

(1) The requirements of clause 10 shall be satisfied except that the private street giving access to sites in the said area shall be constructed to a width not less than 20 feet.

(2) If the street is not taken over made by

the party or parties concerned The Commissioner may take suitable steps under Section 178 of The Madras District Municipalities Act, 1920.

(3) Every site for a hut or house in the area shall be at least 1,200 square feet in extent as required under sub-clause (c) of clause 15 (3) of the Scheme, and shall abut on the street to the full width of the site.

(4) Construction of huts or houses in the sites shall comply with the requirements of the Scheme in every respect.

The area shown above is included in the lands reserved under the Scheme

clause 14(a) in J/2

2. As regards the layout of roads to a width of 20 feet in the Scheme area the Govt. propose to make necessary variations to clause 10 of the Scheme ~~and to clause 17 thereof to provide for dispensation or modification~~ The Govt. also consider that clause 17 of the Scheme should be amended so as to give power to the Responsible Authority to dispense with or modify any of the requirements of the Scheme, where necessary, with the approval of the Director of T.P. in any particular case as may be necessary. The appended notification will be published in the Fort St. George Gazette.

3. The Collector of South Kanara is requested to republish the notification in the District Gazette and to report to Govt the date of such republication.

To The Commissioner, Mangalore Mfy. The Chairman, Collector of South Kanara

4. The Commissioner, Mangalore Mfy, is requested to republish the notification in the manner prescribed in rule 72 (2) of the Madras Town-Planning Rules, 1933 and report the fact to Govt.

D.T.P.

The S.S.P. for publication

Rd 31/8/44

14.4.44.

14/4/44

Rd 18/4/44

Published as Notification in the Fort St. George Gazette

Appendix

Notification

The following draft of a notification varying the Talwar Town-Planning Scheme, Mangalore, sanctioned in the late Local Self Govt. Dept. Notification no. 607, dated the 3rd May 1937, published at pages 281 - 284 of Part I-A of the Fort St. George Gazette dated the 18th May 1937, which it is proposed to make in exercise of the powers conferred by clause (a) of sub-section (2) of section 15 of the Madras Town-Planning Act, 1920, (Madras Act VII of 1920), is hereby published, as required by clause (b) of the said sub-section for the information of all persons likely to be affected thereby

Notice is hereby given that the draft will be taken into consideration on or after the 2nd of January and that any objection or suggestion which may be received with respect thereto before the said date will be considered by the Govt of Madras

Draft- notification

In the said Scheme for clause 10(a) of clause 10, the following sub-clause shall be substituted, namely:-

10(a). Every private street shall

be at least 30 feet in width except in those parts of the area which may be declared to be reserved, under Sub-clause (b) of clause 14 of the Scheme, for huts or poor-class houses, where it shall be at least 20 feet in width; and

(iii) the following shall be added as sub-clause (b), namely:— under clause 17 of the following clause and the existing clause 17 being lettered as sub-clause (a) shall be added:— P 36 (J)

"(b) The Responsible Authority may if it thinks fit, in any particular case and subject to such conditions, if any, as it may impose, dispense with or modify with the approval of the Director, any of the requirements of the Scheme, other than requirements made obligatory by any law, provided that it is satisfied that there are circumstances warranting such dispensation or modification and its decision shall be final. If any difference of opinion arises between the Director and the Responsible Authority in respect of any action contemplated or the validity of such dispensation or modification under this Sub-clause it shall be referred to the Govt. whose decision shall be final".

RS
31/3/44.

1.4.44.

6/4/44

Edn & P.H. Deptt
A Section

From the Commissioner, Mangalore Mg. Roc. no. C4.
8434/43 dated 27.1.44,
From the D.T.P. Nr. dis. no. 221/44 dated 11.3.44,
Licence - Mangalore Mg. Layout opening
of road in T.S. no. 729/1A of 18th Ward -
Exemption.

In the circumstances explained in his letter in the C4. the Commissioner, Mangalore Mg., in pursuance of the T.P.C. Resolution no. 2 dated 17.12.43 asks sanction to allow the foot path of 10 feet in T.S. no 729/1A of 18th Ward without insisting upon the said opening of a 20 feet road. There is no Resolution of the Council to support this T.P.C. recommendation. The D.T.P. however, suggests that a 20 feet road may be opened and that the Commissioner may be instructed to take steps under section 178 of the M. & H. Act for opening the road is not formed by the concerned parties.

~~The wider object of the T.P.'s recommendation may be accepted in view of the willingness of the~~ ~~parties affected to leave a space of 10 feet~~ ~~between the~~ Where the T.P. Committee's request to Not Open Quarry Road exemption can be viewed as stated to call Conditions The Commissioner in his last letter that the existing foot paths may be allowed (with the insisting upon a 20 ft. road

W/24
15/3/44.
b-2-24

D T.P. recommends that the proposal to permit the formation of the street to a width of 20ft may be approved by Govt — The proposals do not seem to have been clearly made, nor is it clear why Govt's order or exemption or approval is required the papers may be returned to the D T.P. & he may be asked to clarify the points — for order —

J/L

Under §10 (a) of the Dt Scheme at (5), a private street cannot be less than 30 ft wide.

18.3.44, The DTP's recommendation is that these private streets may also be 20 ft wide. This will mean a variation of the Dt Scheme. and it can be done by Govt under § 15 (2) unless provision for such variation (Para 6§15 will also practically as known called that a street 20 ft wide) is made in the scheme itself. I do not see any such provision in the scheme. so the Govt will have to vary Clause 10 (a) of the scheme

para 3 of Hand note

J/L

Further reasons given at 'A' in the Comm's letter also if the this clause may be modified to permit private streets not less than 20 ft in width

para 1 & 2

The Cl. wants to reduce the width still further as the existing width. The DTP. evidently does not approve this & wants a uniform width of 20 ft. The Comm's letter shows that the tenants agree to leave 10 ft from the so as ft road, but that the owners are not agreeable to this.

This not desirable to have any roads less than 20 ft in width, so the owners also must be forced to comply with the scheme conditions (after Cl. 10 (a) is altered)

This might be sent up by the DTP to the late urgently of this is the correct position.

SECTION OF TOWN PLANNING
29 MAR 1944
532

DTP says, he may send up a draft notice for varying Cl. 10 (a) under S 15(2)(a) of the 1st Sch. 1573 20/3/44

20/3

D.T.P.

20/3 draft of notice for D.T.P. finished

P. Harrow

12177/44

21/3/44.

W

. The street should be not less than 20 feet in width. It may be noted that one of the owners, namely Mr Arthur Brit[illegible] has stated in his letter to the Commn: that he has absolutely no objection to leaving "10 feet or even 20 feet of space"

in his Compound (P.11. Triplicate). In the circumstances that the locality (S.No 729) is intended to be treated as hutting area or poor-class housing area, the Govt may sanction the reservation of such area by the Council for huts or poor-class houses, under Clause 14(b) of the ~~sub~~ scheme (W) (J) subject to the following restrictions and regulations:-

(1) The ~~shall~~ requirements of clause 10 shall be satisfied ~~subject to~~ except that the private street giving access to sites in the said area shall be constructed to a width not less than 20 feet. b 2 (i)

(2) If the street is not made by the concerned parties, the Commissioner may take suitable action steps under Section 178 of the D.M. Act. §435 of Madras Co. Dr. V&C III

(3) Every site for a hut or house in the area shall be

at least 7200 sq ft in extent as required under
p3 (J) clause 6(3) of the scheme, and shall abut on
the street to the full width of the site.

(3) Outbuildings or huts on the site shall
comply with the requirements of the scheme and
any regulations made thereunder. [illegible]
It does not appear necessary that the scheme
should be varied for this purpose. It is however
desirable that a provision should be made in
the scheme for dispensation or modification of
any of the requirements of the scheme in any particular
case as may be necessary. The Act may include
the following provision in a suitable form
p3 (J) clause 17 of the scheme:-

The responsible Authority may if it think fit
in any particular case and subject to such conditions
as it may impose, dispense with or modify in
consultation with the Director of Town Planning any

6

4

of the requirement of the scheme, other than a requirement made obligatory by any law, provided that it is satisfied that [illegible] circumstances warranting the dispensation or modification, and its decision shall be final. If any difference arises between the Director and the Responsible Authority on the matter of such dispensation or modification, it shall be referred to the Government whose decision shall be final."

The above provision may be included in the scheme by variation under section 15(2) of the Act. [illegible]

If it is considered by Govt. that clause 10(a) also should be revised, the following may be added at the end of the same:-

"except that no [illegible] that may be declared to be reserved, under clause 10(a) for huts or poor class houses, where it shall be at least 2 feet in width."

30 MAR 1944
14984

W.O.
F.H. Dept.

Edn & C. Hdqrs.
H Section

In the circumstances explained by the D.T.P. in his notes on page 3 ante the Plot T.S. no 729/1A of 1946 Ward Thayabone Mg. may be declared under clause 14(6) of the Scheme as shutting or poor class housing area subject to the conditions specified on page 4 ante & the necessary sanction may be accorded by Govt. under clauses 10(a), 17 and 17 may be varied in accordance with the DTP's suggestion.

1,2(J) 2(ii) 3(J)

A draft order is submitted for approval. Govt. may see for acceptance and Deputy for presenting.

Legal Imay See Re draft

Draft with typed after Ltr 1.4.46

Re 31/3/46.

The declaration under S 14(6) is to be done by the Resp. Authority & the Asst Cl with the sanction of Govt. Sets resolution

of the CI further declaration ~~under~~ and (to be made under such restrictions & regns as DTP may impose if)
In the schedule attached to the scheme, there are Nos 729/1A
then are only 729/1 & 2 Cochin Council to take action in the resolution
each of which area is to be declared under Sec 4 of the scheme.

Action may ~~not~~ be taken later as regards variations
subject to DTP.

3/4/44

A draft Memo is submitted
for approval

3/4/44

3.4.44.

f 1-3-4 cp
f 13-23

[Issued as Memoro. 12177-2.H. dated 3.4.44]
From the Commissioner, Mangalore Mfg. Roc. No. C4. 8434/43
dated 6.9.44.

The Council has resolved to class T.S. nos. 729-1A and B of the 18th Ward and 3C of Jeppinamogar village in the municipality as shutting or poor class area. Necessary corrections have been made on page 1 of the draft order already sent up. It is for approval Revenue may see for acceptance and Legal for scrutiny.

f 1 cf

The Scheme-map may be putup

Rly
9.9.44.

11/9/44

The original of G.O. No. 1631 Ms.G. dated 3.5.37 has been called for M.R.O. Chikkur. Its receipt may be awaited till 15.9.44.

Rly
12.9.44.

16/9/44

f 1-16 (J)

The original G.O. 1631 L.Sg. dated 3.5.37 is put up at (J). The Scheme plan is at the end of the G.O.

As far as I can see from the plan on (J), Jeppinamogar village lies outside the scheme area. Why does the draft include this too?

Rly
15.9.44

Revd in Mfg Sy 18-9-44
19 and Draft returned with clarifications

16/9/44.

f 4 cf

In connection with Memoro. 12177-2 H. dated 3. [illegible] definite instructions were laid down that the correct survey numbers or numbers of the lands which should be declared as shutting or poor class housing area should be clearly specified in the Council's resolution. In its resolution on page 1 cr

f 1 cf 2

The Council resolved to class T.S. nos 729-1 A and B of 18th Ward and 3C of Jeppinamogar village as shutting or poor class housing area. On this recommendation 3-C Jeppinamogar village was included in the draft order for declaration as shutting or poor class housing area. The plan has subsequently been

f 1-16 (J)

10/ 10

from the map
obtained under D.O. orders and it is seen that the site 3c
3c Jeppinamogar Village lies outside the scheme area.
The resolution of the Council or the Commissioner's forwarding letter contain no information as to whether the site in question lies within or outside the scheme area. In the absence of this information, it was presumed with reference to the instructions to the Council in the Memo on pages 3-4 of that the Council's recommendation was only in respect of such sites falling in the scheme area. For orders whether the Commissioner may be asked to furnish necessary information regarding 3-c. Jeppinamogar Village. If so the draft memo below is for approval.

23/9/44

21.9.44.

22/9

Issued as Memo no. 12177/44-7 Dated 23.9.44.
From the Commissioner, Mangalore Mty, Roc. no. C4.8434/44 dated 25.10.44.

In this revised resolution the Council has resolved to class TS no 729-1A-1 B.g. 18 Wadandy as lutting or poor class area. Necessary corrections have been made on page 1 of the draft order. The draft ~~maps~~ is for ~~approval and sent here for acceptance and legal~~ for scrutiny. Legal may offer remarks on the draft.

ASSISTANT SECRETARY I
7 - NOV 1944
LEGAL DEPARTMENT.

Legal 53478 6/11

Legal dept

P. Memo.

The alterations indicated in red ink on the draft notification may be made

9/11/44

12177/44-8

5.11.44

Legal no. 7206 9/11/44

The draft order may issue

9/11/44

9/11/44

9/11/44